

# **EXHIBIT 1**

**Phillip Toutant**

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**From:** Sandra Burink <shburink@hb-lawoffices.com>  
**Sent:** Wednesday, September 29, 2021 2:52 PM  
**To:** Phillip Toutant; Anne Perala; Abigail Polini  
**Subject:** Londo--FRE 408

Phil,

REDACTED--F.R.E. 408

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As she testified, it was Mr. Whelan's behavior after she refused his sexual advances that led her to take a leave of absence to recover from the emotional distress. As such, it will be easy for Ms. Londo to demonstrate to the jury her significant emotional distress damages. REDACTED--F.R.E. 408

Ms. Londo, and other former employees, will testify at trial to the sexual harassment they too endured at the hands of Mr. Whelan. REDACTED--F.R.E. 408

Please advise on your client's position. Otherwise we are prepared to litigate her claim.

Thank you,

Sandra Hanshaw Burink